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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

CIVIL NO. 19-00033

DANIEL WARD,)	
Plaintiff)	
)	COMPLAINT
v.)	
)	
THE GROWING)	
KEIKI, LLC.)	
Defendant)	
_____)	

Plaintiff DANIEL WARD, through his undersigned counsel, avers
and alleges:

JURISDICTION AND VENUE

1. This court has original jurisdiction pursuant to 28 U.S.C. Section 1331 through the federal question raised herein, namely the alleged violation of the Americans With Disabilities Act of 1990 (hereinafter “ADA”), 42 U.S.C. Section 12101 et seq.
2. All events material hereto occurred within the District of Hawaii.
3. Plaintiff DANIEL WARD is a person with a disability, namely spinal cord-injured quadriplegia.

VIOLATION OF 42 U.S.C. § 12101 ET. SEQ.

4. According to 28 CFR part 36, the defendant THE GROWING KEIKI, LLC, is a “public accommodation” which is operating a “place of public accommodation,” namely a pawn store, located at 66-051 Kamehameha Hwy., Haleiwa, City & County of Honolulu, Hawaii, and thereby falls under the ambit of the ADA, 42 U.S.C. Section 12101 et seq.

5. Accordingly the defendant THE GROWING KEIKI, LLC. is amenable to suit by the plaintiff for violation of the ADA.

6. The defendant THE GROWING KEIKI, LLC. has violated and is violating the ADA by denying the plaintiff equal accommodations and has not complied with the ADA final rules, 28 CFR part 36, Subpart C, by failing to eliminate readily achievable barriers to equal accessibility, including but not limited to:

a) no accessible entrance and no accessible route.

THEREFORE, PLAINTIFF RESPECTFULLY REQUESTS THE COURT: enter judgment for the plaintiff and against the defendant THE GROWING KEIKI, LLC. and order the following relief:

A) An injunction ordering the defendant THE GROWING KEIKI’s full compliance with the ADA within one hundred eighty (180) days;

B) Payment of plaintiff’s litigation costs, including reasonable expert and attorney’s fees; and

D) Such other relief as the court deems proper.

DATED: Honolulu, Hawaii, May 14, 2019.

/s/ LUNSFORD DOLE PHILLIPS